

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**Aaron Hagele, Andrew Sarcinella, Jr.,  
and AASH Services, LLC,**

*Plaintiffs,*

V.

**Shell Oil Company, PMI Services North America Inc., and Deer Park Refining Limited Partnership,**

*Defendants.*

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Civil Action No. 4:21-cv-04103

## PROPOSED ORDER

Pending before the Court is Defendants' Motion to Dismiss Under Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). After reviewing the motion, plaintiffs' response, and any reply, the arguments of counsel, and the relevant law, the Court has determined that the motion should be GRANTED.

It is hereby ORDERED that plaintiffs' claims are DISMISSED with PREJUDICE.

It is SO ORDERED.

SIGNED on \_\_\_\_\_, 2022, at Houston, Texas.

Lee H. Rosenthal  
Chief United States District Judge